

REMARKS

Summary

Claims 12, 14-22, 25 and 26 are pending in this application. Claim 12 has been amended, and new claims 25 and 26 have been added. Support for the amended claims can be found in paragraphs [0007] and [0008] of the Specification, and in Figures 1 and 2. Favorable reconsideration and allowance of the pending claims are requested.

Claim Rejections - 35 U.S.C. § 102

Claim 12 stands rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 7,439,844 to Hase et al. (hereinafter “Hase”). Applicants respectfully traverse the rejection, and requests reconsideration and withdrawal of the anticipation rejection.

The factual determination of anticipation under 35 U.S.C. § 102 requires the identical disclosure, either implicitly or inherently, of each element of a claimed invention in a single reference. Moreover, the anticipating prior art reference must describe the recited invention with sufficient clarity and detail to establish that the claimed limitations existed in the prior art and that such existence would be recognized by one having ordinary skill in the art. Absence from an allegedly anticipating prior art reference of any claimed element negates anticipation. Kloster Speedsteel AB v. Crucible, Inc., 793 F.2d 1565, 1571 (Fed. Cir. 1986) (emphasis added).

Independent claim 1 recites, *inter alia*,

an electrically insulating core;

a fusible wire wound about and in direct contact with the core . .

.
an electrically insulated fibre wound about and in direct contact with the core, the electrically insulated fibre wound parallel to the fusible wire.

Applicant submits that Hase fails to teach each and every element recited in claim 12 and thus claim 12 defines over Hase. For example, Hase fails to teach “an electrically

insulated fibre wound about and in direct contact with the core, *“the electrically insulated fibre wound parallel to the fusible wire,”* as recited by claim 12. (emphasis added) The recited parallel winding arrangement is shown in Figure 1, and is described in paragraph [0007] of the Specification. As stated in paragraph [0007],

Wound onto the core parallel to the fusible wire is at least one electrically insulating fibre such that the fusible wire is so fixed in position that a short circuit of adjacent turns is prevented. Depending on the nature of the parallel winding of the fusible wire and the at least one electrically insulating fibre, the fusible wire is prevented to a greater or lesser extent from movement in the longitudinal direction of the core. A short circuit of adjacent turns of the fusible wire is prevented by at least one insulating fibre situated between them.

By contrast, Hase discloses a conductor 203 and an insulator 205 that are wound in opposite hands, which is exactly the opposite of the arrangement recited by claim 12. *See* Hase, Figure 8. Thus, the Hase conductor and insulator are *not* wound in parallel as recited by claim 12.

Absence from Hase of the above-mentioned claim elements negates anticipation. Accordingly, Applicants respectfully request removal of the anticipation rejection with respect to claim 12.

Claim Rejections - 35 U.S.C. § 103

Claims 14-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hase taken alone.

Claims 14-23 depend from independent claim 12, and thus contain all of the limitations of that base claim. For the same reasons stated above in relation to the non-anticipation of independent claim 12, Applicant submits that Hase fails to teach each and every element recited in claims 14-23, and thus the claims define over the cited reference. Specifically, Hase fails to disclose, teach or suggest, “an electrically insulated fibre wound about and in direct contact with the core, the electrically insulated fibre wound

parallel to the fusible wire,” as recited by independent claim 12 (and dependent claims 14-23).

Absence from the cited references of the above-mentioned claim elements negates obviousness. Accordingly, Applicant respectfully requests removal of the obviousness rejections with respect to claims 14-23.

New Dependent Claims 25 and 26

New dependent claims 25 and 26 have been added to depend from independent claim 1, and are believed to distinguish over Hase for the same reasons as stated in relation to claim 1. In addition, dependent claims 25 and 26 contain additional limitations that further distinguish those claims over Hase.

Claim 25 recites “the fusible wire and the insulating fibre are wound such that no portion of the fusible wire is positioned between the insulating fiber and the electrically insulated core.” By contrast, with the Hase arrangement the line-shaped insulator 205 overlaps a portion of the conductors 203. *See* Hase, Figures 8 and 9.

Claim 26 recites “the electrically insulated core has a longitudinal axis, and wherein the electrically insulated fibre prevents movement of the fusible wire in the longitudinal direction to prevent a short circuit of adjacent turns of the fusible wire.” By contrast, the line-shaped insulator 205 overlaps portions of the conductors 203, but is not interposed between adjacent windings, (*see id.*, Figures 8 and 9), and thus, the insulator 205 does not “prevent movement of the fusible wire in the longitudinal direction [of the core] to prevent a short circuit of adjacent turns of the fusible wire,” as recited by claim 26.

Thus, claims 25 and 26 distinguish over Hase, and are believed to be patentable, for these additional reasons.

Appl. No. 10/596,829
Response Dated October 20, 2011
Reply to Office Action of July 12, 2011

Docket No.: 1511FS0128
Examiner: Vortman, Anatoly
TC/A.U. 2835

Conclusion

It is believed that claims 12 and 14-22 are in condition for allowance.
Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

Applicants do not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the limitations of the independent claims and dependent claims discussed above. Accordingly, Applicants hereby reserve the right to make additional arguments as may be necessary to further distinguish the claims from the cited references, taken alone or in combination, based on additional features contained in the independent or dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

The Examiner is invited to contact the undersigned to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to the credit card in the previously filed credit card authorization form.

Respectfully submitted,

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Under 37 CFR 1.34(a)

Dated: October 20, 2011

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